

04-14-08BTB136902

65100-1043LIT-4648

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

JAMES T. SULLIVAN, etc., et al.,	)	
	)	
Plaintiffs,	)	No. 08 C 1045
v.	)	
	)	Judge Virginia M. Kendall
JTF MECHANICAL, INC.,	)	
an Illinois corporation,	)	Magistrate Judge Jeffrey Cole
	)	
Defendant.	)	

**MOTION FOR ENTRY OF JUDGMENT**

NOW COME Plaintiffs, JAMES T. SULLIVAN, etc., et al., by their attorneys,  
DOUGLAS A. LINDSAY, JOHN W. LOSEMAN, LISA M. SIMIONI, and BRIAN T.  
BEDINGHAUS, with LEWIS, OVERBECK & FURMAN, LLP, of counsel, and pursuant to Rule 55  
of the Federal Rules of Civil Procedure, move the Court to enter Judgment in favor of Plaintiffs  
and against Defendant, JTF MECHANICAL, INC., in the amount of \$85,830.43. In support  
hereof, Plaintiffs state:

1. Plaintiffs filed this action on February 20, 2008, seeking a judgment against Defendant confirming and enforcing an arbitration award under ERISA, 29 U.S.C. §§1132 and 1145, and LMRA, 29 U.S.C. §185.
2. On March 24, 2008, Defendant was served with process. A true and correct copy of the Affidavit of Compliance is attached hereto as Exhibit A.
3. Defendant was required to appear and answer on or before April 14, 2008.
4. Defendant has not filed an appearance or answer, and is in default.
5. An arbitration award was entered on October 23, 2007, against Defendant in the

computed amount of \$58,968.74. A true and correct copy of Award is attached hereto as Exhibit B.

6. Pursuant to Award and 29 U.S.C. §1132, Plaintiffs' damages are calculated as follows:

\$58,968.74 -	Award;
\$2,833.80 -	Additional interest at \$566.76/month for period 11/26/07 through date of presentment of this motion, pursuant to Award and 29 U.S.C. §1132(g)(2)(B);
\$20,995.97 -	Double interest consisting of \$18,162.17 stated in Award plus \$2,833.80 stated above, pursuant to 29 U.S.C. §1132(g)(2)(C);
\$3,031.92 -	Plaintiffs' attorneys' fees and costs through date of presentment of this motion, pursuant to Award and 29 U.S.C. §1132(g)(2)(D) (See Affidavit of Douglas A. Lindsay attached hereto as Exhibit C);
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\$85,830.43	Total due as of 4/15/08.

7. Attached hereto as Exhibit D is a draft Order.

WHEREFORE, Plaintiffs, JAMES T. SULLIVAN, etc., et al., request the Court to enter Judgment in favor of Plaintiffs and against Defendant, JTF MECHANICAL, INC., in the amount of \$85,830.43.

JAMES T. SULLIVAN, etc., et al., by their attorneys, DOUGLAS A. LINDSAY, JOHN W. LOSEMAN, LISA M. SIMIONI, and BRIAN T. BEDINGHAUS

By: s/ Brian T. Bedinghaus

OF COUNSEL:  
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PROOF OF SERVICE

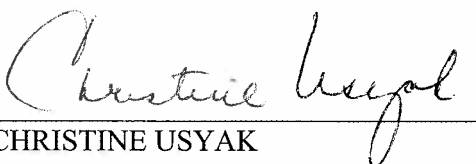
I served a copy of the foregoing MOTION FOR ENTRY OF JUDGMENT upon:

JTF Mechanical, Inc.  
c/o Jesse White  
Illinois Secretary of State  
Department of Business Services  
Springfield, IL 62756

by placing a true and correct copy thereof in a sealed envelope addressed as aforesaid, with postage prepaid, and depositing same in the United States Mail Box at 20 North Clark Street, Suite 3200, Chicago, Illinois on April 15, 2008, before 4:30 p.m.

In accordance with 28 U.S.C. §1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on: April 15, 2008

  
CHRISTINE USYAK

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